

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4260 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

RAJKOT DISTRICT COOPERATIVE BANK LIMITED

Versus

VASANT K. BHATT

Appearance:

MR JAYANT PATEL for Petitioners

Mr. Prashant Desai, Ld.GOV'T PLEADER for
Respondent No. 1, 2, 3

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 07/10/1999

ORAL JUDGEMENT

Petitioner No.2 Shri. C.M. Gondalia, on behalf
of Petitioner No.1 Shri. A.S. Khandher and Shri D.M.
Pandya, the District Registrar are present.

Heard Ld. counsel Shri. Jayant Patel for the
petitioners and Shri. Prashant Desai, Ld. Govt. Pleader

for the Respondents.

By consent of the parties following order is passed:-

1. Initially the petitioner No.2 was appointed as custodian of ' Upleta Taluka Sahkari Kharid Vechan Sangh Ltd.' by the District Registrar as a nominee of Petitioner No.1 Bank, and he continues to function as such till today under the orders of this Court. Since the petitioner No.1 does not desire to continue their officer, namely the Petitioner No.2 as Custodian, it is open to the District Registrar to pass a fresh order for appointing any other officer as Custodian of Upleta Taluka Sahkari Kharid Vechan Sangh Ltd. On such appointment being made, the Petitioner No.2 shall cease to be the Custodian of the said Upleta Taluka Sahkari Kharid Vechan Sangh Ltd.

2. The order passed by the Petitioner No.1 Bank for transferring petitioner No.2 from Upleta to Jasdan will stand withdrawn and the petitioner No.1 Bank shall post Petitioner No.2 as Zonal Officer, Dhoraji or Deputy Manager, Rajkot within two days from today. The observations/ allegations made in the order dated 25-5-98 against Petitioner No.2 by the District Registrar are deleted and, in future, the same or any of them shall not be considered by the Bank in the service record of the petitioner No.2. The petitioner No.2 has so far acted as Custodian in pursuance of the orders of this Court. Petitioner No.1 Bank and the District Registrar shall not raise any dispute about the same in future.

3. Petitioner No.2 Shri. C.M. Gondalia agrees to withdraw the Misc. Civil Application No. 2028 of 1999 in Spl.C.A. No. 4260 of 1998, which he has filed for contempt and he shall withdraw the same immediately after the present order is passed.

4. This Special Civil Application is disposed of accordingly. Interim relief shall stand vacated. Rule discharged. No costs.

/vgn